

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

CASA DE ALABANZA and  
JONESBORO COMMERCIAL  
CENTER, LLC,

Plaintiffs,

v.

CITY OF JONESBORO, GEORGIA,  
HON. JOY B. DAY, Mayor, and  
TRACEY MESSICK, BOBBY LESTER,  
BILLY POWELL, DR. DONYA L.  
SARTOR, PH.D., PAT SEBO, and ED  
WISE, individually and in their  
Official Capacities as Mayor and  
Councilmembers of the City of  
Jonesboro, Georgia

Defendants.

CIVIL ACTION FILE NO.

1:20-cv-04997-LMM

**CONSENT ORDER**

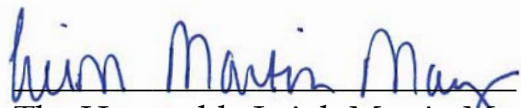
The Parties have agreed to resolve the present case and, in furtherance thereof, consent to entry of the following Order:

On December 13, 2021, the parties executed a Settlement Agreement. Pursuant to this Agreement, Plaintiff Jonesboro Commercial Center, LLC, its successors and/or assigns will submit an application for a conditional use permit

and/or a change of zoning conditions in connection with property located at 7815-7857 Old Morrow Road.

So long as the city acts consistently with the executed Settlement Agreement and upon receipt by Plaintiffs of the consideration agreed to in connection with the settlement of this case, Plaintiffs agree to dismiss the current action, with prejudice, with each party to pay their own fees and costs.

**IT IS SO ORDERED** this 10th day of January, 2022.



The Honorable Leigh Martin May  
United States District Court Judge

Consented to:

*Attorney for Plaintiffs*

**/s/ Newton M. Galloway**

Newton M. Galloway  
Georgia Bar No. 283069  
**GALLOWAY & LYNDALL, LLP**  
The Lewis Mills House  
406 North Hill Street  
Griffin, GA 30223  
(770) 233-6230  
ngalloway@gallyn-law.com

*Attorney for Defendants*

**/s/ Alex Joseph**

Alex Joseph  
Georgia Bar No. 590921  
**GRAY, RUST, ST. AMAND,  
MOFFETT & BRIESKE, LLP**  
950 East Paces Ferry Road, NE  
Suite 1700 – Salesforce Tower  
Atlanta, GA 30326  
(404) 870-7389 (Joseph)  
ajoseph@grsmb.com